

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CASE NUMBER 1:20CV66

CARYN STRICKLAND,)
)
Plaintiff,)
)
v.)
)
UNITED STATES OF AMERICA, *et al.*,)
)
Defendants.)

DECLARATION OF JOHN PARKE DAVIS

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the following is true and correct:

1. I am John Parke (“J.P.”) Davis, Assistant Federal Public Defender at the Federal Defender’s office for the Western District of North Carolina. I testified in the trial of this matter on December 18, 2023.
2. I have reviewed the transcript of my trial testimony and I identified certain instances where my actual testimony differed from the testimony reported in the transcript. I offer this declaration to identify those transcription errors.
3. The transcript (at 59:19) states: “and took her response. It was a ‘Yes.’” My actual testimony was as follows: “and took her response as a yes.”
4. The transcript (at 61:4-6) states: “First, because Ms. Coleman is in the Asheville office and so it had nothing to do with the Dixon matter and she can be objective about that.” My actual testimony was as follows: “First, because Ms. Coleman is in the Asheville office and so she had nothing to do with the Dixon matter and she can be objective about that.”

5. The transcript (at 68:2-3) states: "I asked her if she had raised that she had a conflict, and she responded to that." My actual testimony was as follows: "I asked her if she had raised that she had a conflict, and she didn't respond to that."

6. The transcript (at 69:4-5) states: "The specific individual instances reflects both." My actual testimony was as follows: "The specific individual instances were flexible."

7. The transcript (at 69:23-24) states: "There still were a couple of months that were tense[.]" My actual testimony was as follows: "There still were a couple of moments that were tense."

8. The transcript (at 70:11-12) states: "I had sent her the final product, the first and final edits[.]" My actual testimony was as follows: "I had sent her the final product for her final edits."

9. The transcript (at 74:8) states: "and under the previous month[.]" My actual testimony was as follows: "and over the previous month."

10. The transcript (at 92:19) states: "I already had it[.]" My actual testimony was as follows: "I already had set it."

11. The transcript (at 99:7-9) states: "I believe I told the investigator that I was very upset, that I was controlling myself." My actual testimony was as follows: "I believe I told the investigator that I was very upset, but that I was controlling myself." I note that a few lines later in the transcript (at 99:14-16), the Court accurately repeated my testimony.

12. The transcript (at 101:20-21) states: "the first text sounded more serious than I admitted." My actual testimony was as follows: "the first text sounded more serious than I intended."

13. The transcript (at 106:24-25) states: "after I made that comment, for that 'You had been[.]'" My actual testimony was as follows: "after I made that comment, after that 'You had been[.]'"

14. The transcript (at 107:16-17) states: "it may have only changed when, um, the time when I believed Tony would take you off the case." I did not use the phrase "may have." To the best of my recollection, my actual testimony was as follows: "your attitude only changed when, um, I told you I believed Tony would take you off the case."

15. The transcript (at 108:15-16) states: "if you don't think it's set[.]" To the best of my recollection, my actual testimony was as follows: "because you looked upset."

16. The transcript (at 112:9-11) states: "I believe I was responding to your text stating that you had, um, some fun things that you had to do that day[.]" I did not use the word "fun" at that point in my testimony.

17. The transcript (at 114:2-7) states: "I would never have permitted multiple instances of being out without leave. And then for teleworking, I would have expected to have to – (Inaudible.) audacity, lack of accountability, for them to get chewed out, and be well on their way to assess at the meeting last night,[.]" As reflected in the trial exhibit that I was reading from (Trial Exhibit 11), my actual testimony was as follows: "I would never have permitted the multiple instances of being out without leave and unapproved telework, and I would have expected that after the continued mendacity and lack of accountability, they would get chewed out and be well on their way to a PIP at the meeting last night."

Executed this 8 th day of August, 2024.


John Parke Davis